

Applicants: MALTSEV, Alexander, et al.  
Serial No.: 10/743,309  
Filed: December 23, 2003  
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### **REMARKS**

Applicants respectfully request reconsideration of the above-identified application in view of the following remarks.

#### **Status of Claims**

Claims 1-43 have been previously canceled without prejudice or disclaimer. Claims 44, 50, 53, 55-56, 58-59, 61-62, 64, 66-72, and 78 have been amended. Claims 44-81 are pending in this application. It is respectfully submitted that no new matter has been added.

#### **Claim Rejections**

##### **35 U.S.C. § 102 Rejections**

On pages 2-6 of the Office Action, the Examiner rejected Claims 44-58 and 62-81 under 35 U.S.C. § 102(e) as being anticipated by Bing, et al., US Publication No. 2004/0131084 ("Bing"). Applicants respectfully request the withdrawal of the rejection of Claims 44-58 and 62-81 under 35 U.S.C. § 102(e) in view of the foregoing amendments and the remarks that follow.

Amended Independent Claims 44, 50, 53, 56, and 59 include, inter alia, "dividing a frequency bandwidth of a downlink channel into a plurality of uplink sub-channels".

Amended Independent Claims 62, 64, 66, 68, and 70 include, inter alia, "receiving a multicast transmission from the wireless device over said downlink channel ... transmitting to the wireless device an acknowledgment over said [uplink sub-channel allocated to the station]".

Amended Independent Claims 72 and 78 include, inter alia, "dividing a frequency bandwidth of a downlink channel into a plurality of uplink sub-channels ... receiving a multicast transmission from the wireless device over said downlink channel ... transmitting to the wireless device an acknowledgment over said [uplink sub-channel allocated to the station]".

Neither the Orthogonal Frequency Division Multiplexing (OFDM) standard nor Bing teaches dividing a frequency bandwidth of a downlink channel into a plurality of uplink sub-channels. Furthermore, neither the OFDM standard nor Bing teach transmitting a multicast transmission over the downlink channel to a plurality of stations and receiving an acknowledgment of receipt of the multicast transmission by at least one of the plurality of stations, wherein the acknowledgement is transmitted over the uplink sub-channel allocated to the at least one of the plurality of stations.

It is therefore respectfully submitted that independent Claims 44, 50, 53, 56, 59, 62, 64, 66, 68, 70, 72, and 78 are not anticipated by Bing. Therefore, each claim dependent from ones of the independent claims is likewise patentable. The rejection of Claims 44-58 and 62-81 under 35 U.S.C. § 102(e) as being anticipated by Bing is therefore requested to be withdrawn.

#### 35 U.S.C. § 103 Rejections

On pages 6-7 of the Office Action, the Examiner rejected Claims 59-61 as being unpatentable over Bing in view of Kapoor, et al., US Patent No. 6,795,424 ("Kapoor"). Applicants respectfully request the withdrawal of the rejection of Claims 59-61 under 35 U.S.C. § 103(a) in view of the foregoing amendments and the remarks that follow.

It is respectfully submitted that the addition of the teachings of Kapoor, which has been cited to teach a dipole antenna, do not cure the deficiencies of Bing which have been expressed above regarding amended independent Claims 44, 50, 53, 56, 59, 62, 64, 66, 68, 72, and 78. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of Claims 59-61 under 35 U.S.C. § 103(a).

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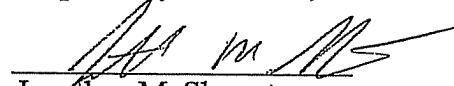
### CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims distinguish over the prior art of record and are in condition for allowance. Favorable consideration and passage to issue are therefore respectfully requested.

The Examiner is invited to telephone the undersigned to discuss any still outstanding matters with respect to the present application.

Please charge or credit any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



Jonathan M. Sharret  
Agent for Applicant(s)  
Registration No. 61,603

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Pearl Cohen Zedek Latzer, LLP.  
1500 Broadway, 12th Floor  
New York, NY 10036  
Phone: (646) 878-0800  
Fax: (646) 878-0801